

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION  
CASE NO. 7:20-CV-00037-M

ROBERT DOUB BURNETTE, )  
Plaintiff, )  
 )  
v. )  
 )  
BAYVIEW LOAN SERVICING, LLC, )  
Defendant. )

**ORDER**

This matter is before the court on pro se Plaintiff's Objections to the Memorandum & Recommendation (hereinafter "Objections") [DE-9] and Motion to Seal [DE-8]. In his Objections, Plaintiff "request[s] more time to try to establish the diversity of the company." DE-8 at 3. The court will construe this as a motion for extension of time to cure deficiencies in the complaint—namely lack of demonstrable subject-matter jurisdiction as outlined in the Memorandum & Recommendation issued by Judge Swank [DE-7]—and hereby GRANTS that motion for good cause shown. Plaintiff will have up to and including November 25, 2020, to investigate the citizenship of the members of Defendant Bayview Loan Services, LLC and refile his complaint to establish this court's subject-matter jurisdiction. The matter will then be recommitted to Judge Swank for a renewed recommendation. *See* 28 U.S.C. § 636(b)(1) ("The judge may also receive further evidence or recommit the matter to the magistrate judge with instructions.").

Plaintiff filed certain documents without the necessary redaction pursuant to Federal Rule of Civil Procedure 5.2(a) and those documents were provisionally sealed by the Clerk of Court [DE-5]. Plaintiff has since taken corrective measures and refiled the documents with the necessary

redactions [DE-8-1] and filed a motion [DE-8] to seal the records at DE-5 which is hereby GRANTED.

SO ORDERED this the 26<sup>th</sup> day of October, 2020.

  
RICHARD E. MYERS II  
U.S. DISTRICT COURT JUDGE